

FILED - GR

March 10, 2025 2:17 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: KB SCANNED BY: Jw / 3-10

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

CASE NO:

Petitioner
Carmie-ronata Burnett
1451 Lake Drive Southeast Suite 68641
Grand Rapids Michigan 49516
amagi-Manumission@protonme.com
616-314-6256

1:25-cv-267

Hala Y. Jarbou
Chief U.S. District Judge

VS.

DEFENDANT' S
DELTA AIRLINES, INC
1030 Delta Blvd, Dept. 982, Atlanta, GA, 30354
404-715-2600. and

SEDGWICK INDEMNITY COMPANY OF NORTH AMERICA
8125 Sedgwick Way Memphis, TN 38125
901-415-7740, and

STATE OF MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY AGENCY
2942 Fuller Ave. NE Grand Rapids, MI 49505
616-447-2680

Danial J. Hebert, CHARFOOS REITER HEBERT, P.C.
30500 NORTHWESTERN HIGHWAY SUIT 450
FARMINGTON HILLS, MICHIGAN 48334-3177
Attorney for DELTA AIRLINES, INC and SEDGWICK INDEMNITY COMPANY OF NORTH AMERICA

DECLINATION TO MAGISTRATE JUDGE JURISDICTION
NOTICE OF NON-CONSENT TO MAGISTRATE JURISDICTION

COMES NOW, the Petitioner, and hereby expressly declines and does not consent to the exercise of jurisdiction by any UNITED STATES MAGISTRATE JUDGE in the above-captioned case, in accordance with 93 Stat. 643 and Local Civil Rule 73 of the UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN, as well as 28 U.S.C. § 636(c).

LEGAL BASIS FOR NON-CONSENT

1. 93 Statute 643 (See Exhibit 1) clearly establishes that the exercise of dispositive authority by a magistrate judge requires the voluntary and express consent of all parties.
2. The district court lacks authority to mandate magistrate jurisdiction without voluntary and unequivocal consent.
3. Preservation of Constitutional Rights: The United States Constitution of America guarantees the right to have all proceedings, including final adjudication, conducted before an Article III district judge, unless there is a clear, voluntary, and unequivocal consent by all parties. See *Wellness Int'l Network, Ltd. v. Sharif*, 575 U.S. 665 (2015) (holding that consent to magistrate jurisdiction must be clear and voluntary).
4. Petitioner affirmatively withholds consent and asserts the right to have all proceedings and rulings adjudicated by an Article III district judge.
5. Prohibition Against Coercion: No magistrate judge, district judge, or court official may attempt to persuade, induce, or coerce any party into consenting to magistrate jurisdiction. See LCivR 73.4; 28 U.S.C. § 636(c)(2); *Gomez v. United States*, 490 U.S. 858, 872 (1989) (“[A] magistrate judge may not assume jurisdiction absent express and voluntary consent of the parties.”).
6. Strict Compliance with Local Rules: Local Civil Rule 73.4 explicitly states that the clerk shall not accept a consent form unless signed by all parties. No magistrate judge may conduct any proceedings beyond preliminary, non-dispositive matters unless a properly executed consent form is filed with the voluntary signature of all parties and approved by the assigned district judge.
7. Right to Article III Adjudication: As affirmed in *Northern Pipeline Constr. Co. v. Marathon Pipe Line Co.*, 458 U.S. 50 (1982), litigants have a fundamental right to have their case heard by a district judge with life tenure and salary protections, as required under Article III, Section 1 of the U.S. Constitution.

NOTICE TO COURT AND ALL PARTIES

- Petitioner does not consent to the exercise of dispositive authority by any magistrate judge.
- Any attempt to assign, refer, or transfer this case to a magistrate judge for final adjudication without express consent would constitute a clear violation of

Petitioner's constitutional protected rights under Article III and 28 U.S.C. § 636(c), and constitutes an **unlawful delegation of judicial authority**.

- Any failure by the Court to honor this Notice of Non-Consent may be grounds for interlocutory appeal and mandamus relief.

WHEREFORE, Petitioner respectfully commands that all further proceedings in this case remain before the assigned United States District Judge, and that no magistrate judge exercise jurisdiction beyond those duties explicitly permitted by law in the absence of consent. (See Exhibit A FORM AO 85 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO MAGISTRATE, EXHIBIT B FORM AO 85 UNITED STATES DISTRICT COURT NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO MAGISTRATE, ^(Exhibit C) EXHIBIT AO 85 NOTICE, CONSENT, AND REFERENCE OF A DISPOSITIVE MOTION TO MAGISTRATE) supporting that CONSENT MUST EXIST. **Exhibit B, Assignment of Civil Cases**

TRUST IS PARAMOUNT. IT IS PERFECTED
With Prejudice

By: Carmie ronata In my natural capacity
All my rights, remedies and immunities are explicitly reserved and I exercise them

March 10, 2025

NOTARY ACKNOWLEDGEMENT

UNITED STATES OF AMERICA)
STATE OF MICHIGAN) ss
County of KENT)
On March 10, 2025, personally appeared before me Notary Public, who proved

to me on the basis of satisfactory evidence to be Carmie ronata whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument upon behalf of which she acted, executed the instrument.

Witness my hand and official seal.

Anna Interiano

SIGNATURE OF PUBLIC NOTARY

SEAL

